

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 BRIAN SEYMOUR,

11 Plaintiff,

12 v.

13 COMMISSIONER OF SOCIAL SECURITY,

14 Defendant.

CASE NO. C17-5849-JCC

ORDER

15 This matter comes before the Court on Plaintiff's unopposed motion for attorney fees
16 (Dkt. No. 22).

17 Whenever a court renders a judgment favorable to a claimant under this subchapter
18 who was represented before the court by an attorney, the court may determine and
19 allow as part of its judgment a reasonable fee for such representation, not in excess
of 25 percent of the total of the past-due benefits

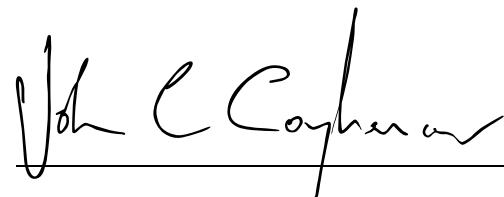
20 42 U.S.C. § 406(b)(1)(A). Plaintiff agreed to pay his attorney 25% of his past-due benefits if his
21 Social Security appeal was successful. (Dkt. No. 22-2.) Plaintiff's appeal was successful, and the
22 total award is at least \$144,823 in past-due benefits. (Dkt. Nos. 22-3, 22-4.) In accordance with
23 the fee agreement, Plaintiff asks this Court to authorize a fee of \$30,205.75 to be paid to his
24 attorney. (Dkt. No. 22 at 1.) The Court finds that the total fee is reasonable given that it comports
25 with the fee agreement, counsel's representation was effective, there was no undue delay, and the
26 fee does not represent a windfall. (*See* Dkt. Nos. 20-1, 20-2.) The Commissioner does not oppose

1 the request or the amount of fees. (See Dkt. No. 23.)

2 Plaintiff's motion for attorney fees (Dkt. No. 22) is GRANTED. Plaintiff's counsel is
3 awarded attorney fees of \$30,205.75 pursuant to 42 U.S.C. § 406(b). Such funds shall be paid to
4 Schneider, Kerr & Robichaux, PO Box 14490, Portland, OR 97293. The attorney fees totaling
5 \$5,211.76 granted pursuant to the Equal Access to Justice Act shall be refunded to Plaintiff upon
6 counsel's receipt of the 406(b) fee awarded.

7 DATED this 9th day of July 2019.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE